



# Town of Groton, Connecticut

## Meeting Agenda

### Town Council

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk (860)441-6640  
Town Manager (860)441-6630

*Mayor Harry A. Watson, Councilors Peter J. Bartinik, Jr., Heather Sherman Bond, Catherine Kolnaski, Frank O'Beirne, Jr., Rita M. Schmidt, John F. Scott, Paulann H. Sheets, and James L. Streeter.*

Tuesday, August 21, 2007

7:30 PM

Town Hall Annex - Community Room 1

### REGULAR MEETING

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

#### IV. CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to ten minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

#### V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

#### VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

##### a. Approval of Minutes

2007-0195 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of August 7, 2007 are hereby accepted and approved.

##### b. Deletions from the Town Council Referral List

2007-0138	Gravel Street Pump Station Lease	Referral
2007-0185	Grant for Labor Day Holiday DUI Enforcement	Referral
2007-0192	Thomas Road Project - Right-of-Way Activities Agreement	Referral
2007-0193	Hamburger Helper Foundation Grant - Tercentennial Legacy Playground	Referral
2007-0187	Setting Form of the Question for Senior Center Ordinance	Referral
2007-0188	Setting Form of the Question on Senior Center Aqua Therapy Facility Ordinance	Referral
2007-0189	Setting Form of the Question for Animal Shelter Ordinance	Referral

- 2007-0190 Explanatory Texts for Senior Center and Animal Shelter  
Referenda

Referral

**c. Special Trust Fund Contributions**

- 2007-0183 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Suzanne Pfisterer - \$100.00 - Parks and Recreation Revolving

George Marshall - \$100.00 - Social Services Discretionary

Jean Simpson - \$30.00 - Social Services Discretionary

Marilyn Laznovsky - \$10.00 - Parks and Recreation Revolving

**VII. COMMUNICATION REPORTS (Other than Committee Reports)**

- a. Town Councilors
- b. Representative Town Meeting
- c. Clerk of the Council
- d. Town Manager
- e. Town Attorney

**VIII. COMMITTEE REPORTS**

- a. Community & Cultural Development - Chairman O'Beirne
- b. Economic Development - Chairman Bond
- c. Education/Health & Social Services - Chairman Kolnaski
- d. Environment & Recreation - Chairman Sheets
- e. Finance - Chairman Schmidt
- f. Personnel/Appointments/Rules - Chairman Scott
- g. Public Safety - Chairman Streeter
- h. Public Works - Chairman Bartinik
- i. Committee of the Whole - Mayor Watson

**IX. UNFINISHED BUSINESS**

**X. NEW BUSINESS**

- 2007-0138 Gravel Street Pump Station Lease

Referral

CENTRAL HALL PARKING PROVISION

WHEREAS, a substantial portion of a block on West Main Street, Mystic, was destroyed by fire in March, 2000, and

WHEREAS, intense public interest has been expressed in favor of the visual and commercial development of the property that was vacated by fire, and

WHEREAS, Historic Mystic, LLC is proposing the redevelopment of the parcel to include retail spaces and residential units, and

WHEREAS, it is proposed that the development will include increased public access to the river side of the West Main Street property that is to be redeveloped, and

WHEREAS, the developer has argued that the development cannot go forward without the provision of adequate parking spaces for the residential units, and

WHEREAS, the Town of Groton owns a sewer pumping station parcel on Gravel Street that abuts the property that is to be redeveloped, and

WHEREAS, the developer has asked for the Town Council's permission to lease a portion of the sewer pump station property, and

WHEREAS, the Town Council Committee of the Whole, at its meeting of August 14, 2007, reviewed a proposed lease between the Town of Groton and Historic Mystic, LLC, and

WHEREAS, the Town Council in this resolution assumes that appropriate approvals have been and/or will be received from all concerned Town of Groton land use agencies and other governmental entities having any jurisdiction, and that the terms and conditions of such approvals will be complied with throughout the term of the lease and any extensions thereof, now therefore be it

RESOLVED, that the Town Council authorizes the Town Manager to create the lease that has been reviewed by the Town Council with Historic Mystic, LLC, which would enable the lease of a portion of the Gravel Street sewer pump station lot for the purposes stated above and in the lease, and authorizes the Town Manager to negotiate any appropriate further terms of a proposed lease with Historic Mystic, LLC, such lease to be subject to a final review by the Town Attorney.

**Legislative History**

**5/17/2007 Mayor Referred Town Council Committee of the Whole**

**5/22/2007 Town Council Committee of the Whole Discussed**

*The Town Manager met with the developer of the Central Hall project and his attorney and comments on the draft lease were reviewed. The Town Manager anticipates a revised draft for the Council's consideration at the next Committee of the Whole meeting.*

**6/5/2007 Town Council Committee of the Whole Discussed**

*Town Manager Mark Oefinger and the Town Attorney met with the developer and his attorney and reviewed a draft lease. It was a productive meeting, but the Town has not heard back from Mr. Desmarais at this point. The developer would like to start construction by the end of the summer.*

**6/12/2007 Town Council Committee of the Whole Discussed**

*The Town Manager has received a revised lease from the developer, but it has not yet been reviewed. This item will be placed on the next agenda for discussion.*

**7/10/2007 Town Council Committee of the Whole Discussed**

*Town Manager Oefinger noted that the parties have been working on a lease, but there are still some areas that need to be addressed including the monthly payment. The Town has done some market research on the value of the parking spaces and provided the information to Mr. Desmarais. The Town Manager distributed a memo from Assessor John Philip looking at the issue from a land value standpoint in an attempt to place a reasonable value on the parking spaces. Staff will make a recommendation at a future meeting.*

*Rod Desmarais offered to answer questions for the Council. The cost of the parking spaces will be passed on to the Condominium Association down the line. The Town has offered a 10 year lease with the option of four renewals. The parking lot will be rebuilt and maintained by the developer, along with the public walkway and landscaping.*

*For the development, Mr. Desmarais is required to provide 16 spaces on the north end of West Main Street (nine on the Town property), and 16 spaces on the south end of West Main Street. The Town Manager noted that the Planning Commission's approval did not require the spaces to be located on the pump station property.*

8/14/2007      Town Council Committee of      Recommended for a  
the Whole      Resolution

2007-0185      **Grant for Labor Day Holiday DUI Enforcement**      Referral

**RESOLUTION AUTHORIZING A GRANT APPLICATION FOR SEASONAL DUI ENFORCEMENT ACTIVITIES**

WHEREAS, the Town of Groton customarily makes use of federal highway safety funds to allow the Town to provide additional police presence and public safety efforts to assist motorists and prevent fatalities arising from alcohol-impaired driving, now therefore be it

RESOLVED, that the Town Manager may apply for a grant of \$25,125 that, along with a 25% matching Town contribution of \$8,375 from the existing budget, will allow for a DUI enforcement program costing a total of \$33,500 during the Labor Day holiday period.

**Legislative History**

8/6/2007      Mayor      Referred      Town Council Committee of th

8/14/2007      Town Council Committee of      Recommended for a  
the Whole      Resolution

2007-0192      **Thomas Road Project - Right-of-Way Activities Agreement**      Referral

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF GROTON FOR RIGHT OF WAY ACTIVITIES IN CONJUNCTION WITH THE ACQUISITION OF PROPERTY FOR THE THOMAS ROAD BICYCLE AND PEDESTRIAN PATH IN THE TOWN OF GROTON UTILIZING FEDERAL FUNDS FROM THE FEDERAL TRANSPORTATION ENHANCEMENT PROGRAM**

WHEREAS, the Town of Groton has requested that right of way activities be undertaken in conjunction with the Thomas Road bikeway and pedestrian path improvements and will utilize federal funds from the Federal Transportation Enhancement Program for right of way activities for said Thomas Road improvements under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy of Users (SAFETEA-LU), and

WHEREAS, Public Law 91-646 (the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970") established land acquisition policies for Federal Programs, and

WHEREAS, said rights of way activities which include, but are not limited to appraisal, title search, and negotiation for acquisition of all permanent and temporary rights and land acquisition for the project, and

WHEREAS, these rights of way activities are identified by State Project 58-308 and Federal Aid Project No. TEA-PEDS (008), therefore be it

RESOLVED, that Mark R. Oefinger, Town Manager, be, and hereby is, authorized to sign the agreement entitled "Agreement Between the State of Connecticut and the Town of Groton for Rights of Way Activities in Conjunction with The Federal Transportation Enhancement Program Acquisition of Property for the Thomas Road Bicycle and Pedestrian Path in the Town of Groton" utilizing federal funds from the Federal Transportation Enhancement Program.

**Legislative History**

8/9/2007      Mayor      Referred      Town Council Committee of th

8/14/2007      Town Council Committee of      Recommended for a  
the Whole      Resolution

**2007-0193     Hamburger Helper Foundation Grant - Tercentennial Legacy Playground     Referral**

**RESOLUTION AUTHORIZING A GRANT APPLICATION FOR THE TERCENTENNIAL LEGACY PARK**

WHEREAS, the Groton Town Council has agreed by resolution to pursue grants and other contributions, in cooperation with the Groton Parks Foundation, that will support the construction of the Tercentennial Legacy Playground that will be accessible to all children, regardless of cognitive or physical limitations, now therefore be it

RESOLVED, that the Town Manager is authorized to apply for a grant of \$5,000 from the Hamburger Helper Foundation.

**Legislative History**

8/9/2007	Mayor	Referred	Town Council Committee of th
8/14/2007	Town Council Committee of the Whole	Recommended for a Resolution	

**2007-0187     Setting Form of the Question for Senior Center Ordinance     Referral**

**SETTING FORM OF THE QUESTION FOR SENIOR CENTER ORDINANCE**

WHEREAS, the Town Council and the Representative Town Meeting of the Town of Groton have approved an "Ordinance Appropriating \$11,770,000 for Additions and Renovations to the Groton Senior Center and Authorizing the issue of Bonds and Notes in the Same Amount to Finance said Appropriation", now therefore be it

RESOLVED, that the ordinance be submitted for approval or rejection at a referendum to be held Tuesday, November 6, 2007. Voters approving the ordinance will vote "Yes" and those opposing the ordinance will vote "No", and be it further

RESOLVED, that the form of Question #1 shall be:  
"SHALL THE ORDINANCE APPROPRIATING \$11,770,000 FOR ADDITIONS AND RENOVATIONS TO THE GROTON SENIOR CENTER AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT BE APPROVED?"  
and be it further

RESOLVED, that the Town Clerk is hereby directed to issue any and all warnings, publish all such notices, and file all such statements and reports concerning said referendum as provided by law, which notices shall include a summary of the ordinance.

**Legislative History**

8/7/2007	Mayor	Referred	Town Council Committee of th
8/14/2007	Town Council Committee of the Whole	Recommended for a Resolution	

**2007-0188     Setting Form of the Question on Senior Center Aqua Therapy Facility Ordinance     Referral**

**SETTING FORM OF THE QUESTION ON SENIOR CENTER AQUA THERAPY FACILITY ORDINANCE**

WHEREAS, the Town Council and the Representative Town Meeting of the Town of Groton have approved an "Ordinance Increasing the Groton Senior Center \$11,770,000 Appropriation and Borrowing Authorization for Aqua Therapy Structure, Systems and Finishes", now therefore be it

RESOLVED, that the ordinance be submitted for approval or rejection at a referendum to be held Tuesday, November 6, 2007. Voters approving the ordinance will vote "Yes" and those opposing the

ordinance will vote "No", and be it further

RESOLVED, that the form of Question #2 shall be:

"SHALL THE ORDINANCE APPROPRIATING \$11,770,000 FOR ADDITIONS AND RENOVATIONS TO THE GROTON SENIOR CENTER BE INCREASED BY \$1,465,000 TO \$13,235,000 TO INCLUDE THE AQUA THERAPY STRUCTURE, SYSTEMS AND FINISHES, IF QUESTION NO. 1 IS APPROVED, AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT?"

and be it further

RESOLVED, that the Town Clerk is hereby directed to issue any and all warnings, publish all such notices, and file all such statements and reports concerning said referendum as provided by law, which notices shall include a summary of the ordinance.

Legislative History

8/7/2007	Mayor	Referred	Town Council Committee of th
8/14/2007	Town Council Committee of the Whole	Recommended for a Resolution	
2007-0189	Setting Form of the Question for Animal Shelter Ordinance		Referral

SETTING FORM OF THE QUESTION FOR ANIMAL SHELTER ORDINANCE

WHEREAS, the Town Council and the Representative Town Meeting of the Town of Groton have approved an "Ordinance Appropriating \$1,385,000 for a Replacement Animal Shelter and Authorizing the issue of Bonds and Notes in the Same Amount to Finance said Appropriation", now therefore be it

RESOLVED, that the ordinance be submitted for approval or rejection at a referendum to be held Tuesday, November 6, 2007. Voters approving the ordinance will vote "Yes" and those opposing the ordinance will vote "No", and be it further

RESOLVED, that the form of Question #3 shall be:

"SHALL THE ORDINANCE APPROPRIATING \$1,385,000 FOR A REPLACEMENT ANIMAL SHELTER AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT BE APPROVED?"

and be it further

RESOLVED, that the Town Clerk is hereby directed to issue any and all warnings, publish all such notices, and file all such statements and reports concerning said referendum as provided by law, which notices shall include a summary of the ordinance.

Legislative History

8/7/2007	Mayor	Referred	Town Council Committee of th
8/14/2007	Town Council Committee of the Whole	Recommended for a Resolution	
2007-0190	Explanatory Texts for Senior Center and Animal Shelter Referenda		Referral

EXPLANATORY TEXTS FOR SENIOR CENTER AND ANIMAL SHELTER REFERENDA

WHEREAS, it is in the best interests of the Town of Groton that Explanatory Texts concerning the referenda questions re the Senior Center Addition and the Animal Shelter to be on the ballot on November 6, 2007 be prepared and distributed to voters, now therefore be it

RESOLVED, that the Town Council authorizes such Explanatory Texts to be prepared by the Town

Clerk, approved by the Town Attorney, and distributed to the voters of the Town.

Legislative History

8/7/2007	Mayor	Referred	Town Council Committee of th
8/14/2007	Town Council Committee of the Whole	Recommended for a Resolution	

**XI. OTHER BUSINESS**

**XII. ADJOURNMENT**